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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,108	06/22/2001	Joel B. Linsky	5429P001	7961

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EXAMINER

BUI, BING Q

ART UNIT PAPER NUMBER

2642

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/888,108

Applicant(s)

LINSKY ET AL.

Examiner

Bing Q. Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-11 and 20-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-11 and 20-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/23/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's Preliminary Amendment filed on 02/23/2005 has been entered. Claims 2, 4-5, 7, 9, 21-23, 25, 29, 33, 35, 38-42, 44, 46, 48-51 and 53-56 have been amended. Claims 1, 12-19 and 57-59 have been cancelled. No claims have been added. Claims 2-11 and 20-56 are still pending in this application, wherein claims 2, 20, 25, 38, 44 and 48 being independent.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2-11 and 20-56 are rejected under 35 U.S.C. 102(b) as being anticipated by Herold et al (US Pat No. 4,893,094), herein after referred as Herold.

Regarding claim 2, referring to figures 1 and 4, Herold teaches a method for activating a deactivated frequency synthesizer comprising:

activating a voltage controlled oscillator (see col. 4, lns 41-col. 5, ln 15);

allowing the voltage controlled oscillator to stabilize (see col. 4, lns 41-col. 5, ln 15);

configuring a main frequency divider of the synthesizer operate as it had prior to deactivation of the synthesizer (see col. 4, lns 41-col. 6, ln 13); and

activating the main frequency divider (see col. 4, lns 41-col. 6, ln 13).

As to claims 3-11, 21-24, 26-37, 39-43, 45-47 and 49-56, note figures 1 and 4; and col. 4, ln 41-col. 6, ln 13).

As to claims 20 and 38, they are rejected for the same reasons set forth to rejecting claim 2.

Regarding claim 25, referring to figures 1 and 4, Herold teaches frequency synthesizer comprising:

a phase frequency detector to detect the phase difference between a first input signal and a second input signal and output a corresponding phase-error signal (see abstract; and figures 1 and 4; and col. 4, ln 41-col. 6, ln 13);

a first reference frequency source to coupled to the phase frequency detector and to provide a first frequency signal as the first input signal to the phase frequency detector (see abstract; and figures 1 and 4; and col. 4, ln 41-col. 6, ln 13);

a voltage controlled oscillator, coupled to the phase frequency detector to receive the phase-error signal from the phase frequency detector and generate an output signal at a corresponding frequency and phase (see abstract; and figures 1 and 4; and col. 4, ln 41-col. 6, ln 13); and

control logic to activate the synthesizer when a transmission is expected, configured to activate the voltage controlled oscillator, allow the voltage controlled oscillator to stabilize, inhibit the phase frequency detector, enable the first input signal to

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the phase frequency detector, enable the second input signal to the phase frequency detector, and activate the phase frequency detector (see abstract; and figures 1 and 4; and col. 4, ln 41-col. 6, ln 13).

Regarding claim 44, referring to figures 1 and 4, Herold teaches apparatus comprising:

means for deactivating a phase frequency detector (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13);

means for providing a first signal to the phase frequency detector (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13);

means for providing a second signal to the phase frequency detector such that the phase of the second signal initially lags the phase of the first signal (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13); and

means for activating the phase frequency detector (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13).

Regarding claim 48, referring to figures 1 and 4, Herold teaches method for conserving power comprising:

deactivating a synthesizer while not in use (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13);

activating the synthesizer, including

configuring a main frequency divider to operate at a first desired frequency (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13);

providing a reference signal to a phase frequency detector (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13); and

activating the main frequency divider to provide an output signal to a phase frequency detector, the phase of the output signal lagging the phase of the reference signal to the phase frequency detector (see abstract; and figures 1 and 4; and col. 3, ln 47-col. 6, ln 13).

***Allowable Subject Matter***

4. The indicated allowability of claims 20-56 is withdrawn in view of the newly discovered reference(s) to Herold et al (US Pat No. 4,893,094). Rejections based on the newly cited reference(s) follow.

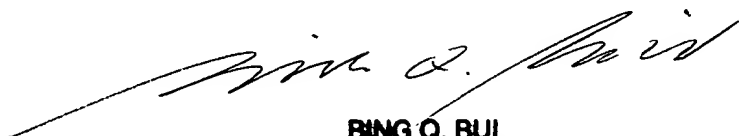
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

27 July 2005

A handwritten signature in black ink, appearing to read "Bing Q. Bui", written in a cursive style.

**BING Q. BUI**  
**PRIMARY EXAMINER**